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NOTE VERBALE DATED 1 AUGUST 1994 FROM THE PERMANENT MISSION OF AUSTRIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of Austria to the United Nations has the honour, in response to Security Council resolution 917 (1994), paragraph 13, to provide the following information on measures taken by Austria in order to implement the obligations set out in paragraphs 2 to 11 of the above-mentioned resolution.

1. The Austrian Federal Government adopted a regulation pursuant to paragraph 4 of the Austrian law on the import, export and transit of war materials, prohibiting the export of war materials as well as civil weapons and ammunition to Haiti.

2. The obligations concerning restrictions of air traffic as set out in paragraph 2 of resolution 917 (1994) are implemented by a notice to airmen of the Federal Ministry for Public Economy and Transport. Flights approved by the Committee established by resolution 841 (1993) are exempted from these restrictions.

3. All Austrian diplomatic and consular representations have ordered to deny entry visas to persons falling within paragraph 3 of resolution 917 (1994), specified in the list of the names of the persons referred to in paragraph 3 of resolution 917 (1994).

4. The obligations concerning the freezing of Haitian funds and financial resources as set out in paragraph 4 of resolution 917 (1994) are implemented by a regulation of the Austrian National Bank pursuant to paragraph 33a of the Austrian Foreign Currency Act. By virtue of this regulation financial dispositions and transactions of persons specified in paragraph 3 of the regulation falling under the Foreign Currency Act require a special permission. Under this regulation a permission is granted provided that the purposes of resolutions 841 (1993) and 917 (1994) are not endangered. The regulation of the Austrian National Bank referred to above provides for a general exception concerning credits and transactions in connection with account charges or interest on Austrian accounts of persons specified in paragraph 3 of the regulation.

5. The obligations concerning the import and export of goods as set out in paragraphs 6 to 8 of resolution 917 (1994) are implemented by regulations of the Austrian Ministry of Trade pursuant to paragraphs 5 and 7, respectively, of the Austrian Foreign Trade Act. The export of commodities and goods destined to or originating from Haiti are subject to prior permission by the competent authority. Except under circumstances defined in resolution 917 (1994) which relate to supplies for medical purposes and in humanitarian circumstances, permission for such activities will not be granted.

6. The obligations concerning restrictions of maritime traffic as set out in paragraph 9 of resolution 917 (1994) are implemented by decrees of the maritime authority of the Austrian Ministry of Traffic addressing ships under Austrian flag.

7. The obligations set out in paragraph 11 of resolution 917 (1994) are covered by paragraphs 897 and 1447 of the Austrian Civil Code and, respectively, paragraph 2 of the Austrian Foreign Trade Act. By virtue of these provisions no claims in connection with the performance of a contract or a transaction affected by measures imposed by or pursuant to resolutions 841 (1993), 873 (1993) and 917 (1994) are accepted.